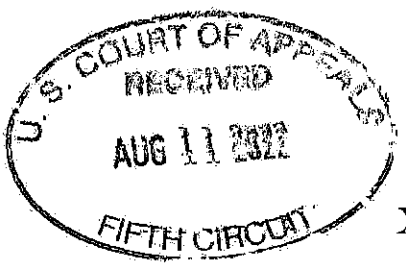
No. 22-40378

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT



JOE BLESSETT,

Plaintiff-Appellant

v.

XAVIER BECERRA,

ANTONY BLINKEN,

GREG ABBOTT,

KEN PAXTON,

STEVEN C MC CRAW,

STEVEN A SINKIN (SINKIN LAW FIRM),

CITY OF GALVESTON,

U.S. HEALTH AND HUMAN SERVICES.

Defendant – Appellee

On Appeal from the UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, No. 3:22-cv-00009, Honorable Jeffery Vincent Brown, Presiding

---

BRIEF FOR APPELLANT

Joe Blessett / Pro Se
7970 Fredericksburg RD.
STE 101-708
San Antonio, TX 78229
Telephone: 281-667-1174

No. 22-40378

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

JOE BLESSETT,

Plaintiff-Appellant

v.

XAVIER BECERRA,

ANTONY BLINKEN,

GREG ABBOTT,

KEN PAXTON,

STEVEN C MC CRAW,

STEVEN A SINKIN (SINKIN LAW FIRM),

CITY OF GALVESTON,

U.S. HEALTH AND HUMAN SERVICES.

Defendant – Appellee

On Appeal from the UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS, No. 3:22-cv-00009, Honorable Jeffery Vincent Brown, Presiding

---

BRIEF FOR APPELLANT

Joe Blessett / Pro Se
7970 Fredericksburg RD.
STE 101-708
San Antonio, TX 78229
Telephone: 281-667-1174

CERTIFICATE OF INTERESTED PERSONS

Appellant certifies that the following listed persons and entities, as described in the fourth sentence of Rule 28.2.1, have an interest in the outcome of this case. These representations are made so that the judges of this Court may evaluate possible disqualification or recusal.

1. **Plaintiff-Appellant**:

   Joe Blessett

2. **Defendants-Appellees:**

   Xavier Becerra, Antony Blinken, Greg Abbott, Ken Paxton, Steven C McCraw, Steven A Sinkin for Sinkin Law Firm, City Of Galveston, U.S. Health and Human Services

3. **Counsel for Plaintiff-Appellant:**

   Joe Blessett Pro Se

4. **Counsel for Defendants-Appellees Xavier Becerra and U.S. Health and Human Services:**

   Myra Farah Siddiqui

5. **Counsel for Defendants-Appellees Greg Abbott, Ken Paxton, and Steven C McCraw:**

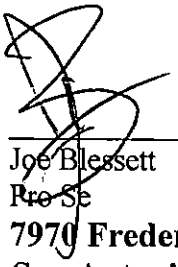
   Johnathan Stone, Halle Elizabeth Daniels

6. **Counsel for Defendants-Appellees City of Galveston:**

   Barry Conrad Willey

7. **Counsel for Defendants-Appellees Steven Sinkin - Sinkin Law Firm:**

   Stett M Jacoby



Aug. 8, 2022
Date

Joe Blessett
~~Pro Se~~
7970 Fredericksburg Rd. STE. 101-708
San Antonio, Texas 78229
joe@joeblessett.com
Ph.281-667-1174

STATEMENT REGARDING ORAL ARGUMENT

An oral argument may not be necessary if this Court finds the District Court erroneously dismissed Mr. Blessett. There is no verification of evidence, commitment, state court Judicial order for a Title IV-A debt, or enforcement as required by U.S Congressional legislation against Blessett. There is federal legislation for compliance to continue to receive federal funds. There is no record of the District Court viewing verifiable proof overruling ***Blessing v. Freestone, 520 U.S. 329, 333(1997),*** *holding that there is no enforceable entitlement for private citizens to receive Title IV-D services.* Therefore, Ken Paxton's use of Tex. Fam. Code § 231.109(d)[1] ***right to pursue*** a Title IV-D contract consent should end with Mr. Blessett's right to refuse to participate in the Title IV-D program. 45 CFR § 303.11(b)(17)[2] Title IV-D is a voluntary contract with duties formed from the agreed contractual obligation with the U.S. Health and Human Services, the State, the custodial parent, and the noncustodial parent. Evidence provided by law supports Blessett's argument. The accused cannot pick and choose when and what laws to follow and maintain equally protected justice for Blessett.

---

[1] An attorney employed to provide Title IV-D services represents the interest of the state and not the interest of any other party. The provision of services by an attorney under this chapter does not create an attorney-client relationship between the attorney and any other party. The agency shall, at the time an application for child support services is made, inform the applicant that neither the Title IV-D agency nor any attorney who provides services under this chapter is the applicant's attorney and that the attorney providing services under this chapter does not provide legal representation to the applicant.

[2] 45 CFR § 303.11(b(17) - Case closure criteria (b) The IV-D agency may elect to close a case if the case meets at least one of the following criteria and supporting documentation for the case closure decision is maintained in the case record:(17) The responding agency documents failure by the initiating agency to take an action that is essential for the next step in providing services;

TABLE OF CONTENTS

TABLE OF AUTHORITIES

CASES

STATUTES

JURISDICTIONAL STATEMENT

This Court has jurisdiction over this appeal under 28 U.S.C. § 1291. The Appellant appeals on May 17, 2022, Memorandum Opinion and Order dismissing with prejudice entered by the Honorable Jeffrey V. Brown in the United States District Court for the Southern District of Texas.

STATEMENT OF ISSUES PRESENTED FOR REVIEW

The District Court abused its discretion in an erroneous assessment of the evidence. Issues presented show noncompliance with the federal provisions of Title IV-D of the Social Security Act (Act) and government infringement on JOSEPH C BLESSETT to enforce without federal and state actor's compliance with the Act. **ROA.1147** Greg Abbott and Ken Paxton voluntarily swore to administer federal laws as required by U.S. Congress and U.S Constitution. Xavier Becerra swore under oath to administer the federal provisions of the Act as a competent Secretary of U.S. Health and Human Services (HHS), as required by U.S. Congress, perform under the Act, U.S. Constitution, and protect the United States interest. Becerra, as a capable Secretary for the HHS, should have requested the Texas agency present verifiable evidence to prove it has legal standing against JOSEPH C BLESSETT the moment Blessett protested against the contractor's performance and not assist in violating the provisions of the Act. **ROA. 1071-1076** That is the Secretary's duty under 42 U.S.C. 652(d)(2).

Blessett requested a 5 U.S.C. § 702 judicial review of U.S. Department of Health and Human Services agency oversight policies sighting incompetence. This civil action shows a failure to follow Congress safeguards to avoid U.S. Constitution breaches.

I. Where is the verified evidence of a state court judicial order for Part D enforcement against Blessett for the alleged Part A debt?

II. Where is the verified evidence of Blessett's acknowledgment and commitment to Part D of the Act? **ROA.1057-58, 1062, 1082-83, 1085-87, 1100**

III. When was Part D service first enforced against Blessett under the color of law?

State legislation and enforcement activities are permitted if they do not necessarily infringe any right, privilege, or immunity secured by the Constitution of the United States or by the amendments thereto. ***Mugler v. Kansas, 123 U.S. 623*** **ROA. 1104**

1. Did the district court abuse its discretion on an erroneous assessment of the evidence?

a. Where is the record of the Title IV-D petition with orders filed for the alleged debt to Texas that Blessett could have Appealed in state court?[3] **ROA. 1685** In Blessett v. Texas Off. Of Att'y Gen, Galveston Cty. Child Support Ent't Div., 756 F. App'x 445-46 (5th Cir. 2019) the U.S. 5th Cir. Court agreed with the lower Court, as does the Appellant, under Rooker Feldman. **ROA. 1038** However, the July 23, 1999, the Divorce Decree support order does not have explicit language for Part D enforcement or funds owed to the state. **ROA. 1142-43**

[3] Blessett v. Texas Off. Of Att'y Gen, Galveston Cty. Child Support Ent't Div., 756 F. App'x 445-46 (5th Cir. 2019) state court case dealt with presumption of paternity. Blessett agrees he is the presumed father; this is not an issue for review. The lower Court still needed a verifiable order for Title IV-D enforcement in compliance with the Act.

b. What "Title IV-D state court judgment ***with orders for Title IV-D enforcement*** for the alleged state debt under the Act" that the Appellees saying that the Appellant is asking the Court to review and pass judgment on?

c. Where is the language in the Complaint with Blessett asking the Court for a review and federal judgment of a state court judgment?

d. Did the District erroneously deny and dismiss Blessett's U.S. Constitution Commerce Clause, 5th and 14th amendment protections for his Private Agreement with Greg Abbott, Ken Paxton, and Steven McCraw? **ROA. 1032-33**

e. Did the Court erroneously ignore the evidence provided by law showing Xavier Becerra, Greg Abbott, Ken Paxton, and Steven McCraw did follow some and ignored other federal provisions of the Act in violation of the U.S. Constitution in the enforcement of the Act? **ROA. 1135-39, 1142-46**

f. Did the Court erroneously ignore that Texas surrendered certain rights to U.S. Congress under federal provisions of the Act as a condition to receive federal funds? **ROA. 1685**

g. Did the Court erroneously ignore that Antony Blinkin, Xavier Becerra, Greg Abbott, Ken Paxton, and Steven McCraw swore an oath to the U.S. Constitution and to follow federal laws? **ROA. 748-750, 1685**

h. Did the Court erroneously ignore that Greg Abbott, Ken Paxton, and Steven McCraw were allowed to respond and decline the terms of Blessett's Private Law agreement? **ROA. 113-118, 670-697, 1032-33, 1663**

i. Did the Court erroneously ignore the verified evidence of a Private Law Agreement with Greg Abbott, Ken Paxton, and Steven McCraw as evidence of noncompliance with federal law and the Constitution? **ROA. 806-07, 1060-68, 1589-1598**

j. Did the Court erroneously ignore that there was no verifiable evidence of Blessett's voluntary acknowledgment and commitment to cooperate with Part D of the Act? **ROA.1145**

k. Did the Court erroneously ignore that there was no verifiable evidence of 42 U.S.C. 654(12) of the Act's required notice given to Blessett? **ROA. 1145**

l. Did the Court erroneously ignore the verifiable evidence under 45 CFR 303.101(d)(4) and 42 U.S.C. 466(5)(H) for compliance with the Act that required showing that process has been served on Blessett by State law before entering any default orders? **ROA. 1345**

m. Did the Court erroneously ignore Blessett's protest against a state court judge and the Part D agent failing to comply with the Act in the commission of perjury on July 13, 2015, and violating the U.S. Constitution? **ROA. 1345** Where is the verifiable evidence of Blessett's commitment to Part D before July 13, 2015?

n. What verifiable evidence of compliance with the Act did the District Court form its opinion on to dismiss?

o. How did Blessett lose his U.S. Passport privilege in 2005 under 42 U.S.C. 652(k) executive branch *administrative order* of the Act without verifiable evidence of the state agency's compliance with the Act?

p. How did Blessett lose his Texas driver's license privilege in 2014 under 42 U.S.C. 666(a)(16) executive branch *administrative orders* without verifiable evidence of the state agency's compliance with the Act? **ROA. 612-14**

q. Did the District Court review verifiable evidence of a judicial order to suspend Blessett's driver's license?

r. Were Blessett's rights infringed under the color of law to collect maritime wages protected by the Jones Act Seamans Protection 46 U.S.C. 10312 and 10313 without evidence of a verified state court judicial order for Title IV-D

collection and enforcement or Blessett's acknowledgment and commitment to the Act? **ROA. 606-609, 1083-1084** Injury occurred in 2004, with a Title IV-D administrative withholding. **ROA. 1057-58**

s. Did Blessett lose his U.S. Constitution-protected rights and government privileges under the color of law and color of legal authority without verifiable evidence of the government agency's compliance with the Act? **ROA. 1113-1123** *States or Federal government cannot impose a duty to perform on free citizens without consent or the receipt of something of value from an implied contract.*

2. Did the Court erroneously ignore that noncustodial parents have the U.S. Constitution-protected right to decline government services?

3. Where is this entitlement policy of law written and the duty supported in the U.S. Constitution as a protected right that imposes a support obligation against the husband's wages and assets? **ROA. 1886**

4. Did Blessett ask the Court to drop the State and the State agency as defendants? **ROA. 477, 723, 1055**

5. Did the District Court abuse its discretion by erroneously dismissing Blessett's Right of review under 5 U.S.C. § 702 of the HHS for injuries Blessett suffered and the incompetent performance by HHS shown in this civil action? **ROA. 1074-75**

   a. Did the District Court erroneously dismiss Blessett's request for a judicial review of the Secretary for incompetence in applying Title IV-D?

   b. Under 42 U.S.C. §655 of the Act, did the United States make payments to Texas 42 U.S.C. §654?

   c. Did the Secretary enforce Act under the color of legal authority against JOSEPH C BLESSETT?

d. Did Blessett's interstate child support debt contract receive the required protection of the Act, 28 U.S.C. § 1738B, and Commerce Clause? **ROA. 1146**

e. Was it incompetence or willful intent in the performance of the HHS Secretary overseeing the Act's state contractor's compliance with the Act that allowed Blessett's injuries?

f. Was there verifiable evidence of the U.S. Department of Health and Human Services Secretary enforcing Spending Clause penalties against the Texas agency for noncompliance in this civil action?

g. How did Xavier Becerra uphold the federal provisions of the Act and U.S. Constitution as Secretary if the Agency cannot provide documentation of Blessett's acknowledgment and commitment or a court order for the alleged state debt for Title IV-A of the Act?

6. *Did the Court erroneously deny discovery of facts and federal question jurisdiction over an action arising from a dispute between a United State Agency, its subcontractors, and Blessett over the performance of a federal government contract?* ***ROA. 1075, 1079*** *Request for Judicial Review.*

7. If the Court had subject matter jurisdiction, why did it deny discovery? **ROA. 805-08**

Blessett's verifiable evidence to the Court exceeds the threshold for the preponderance of evidence showing noncompliance with the Act and the U.S. Constitution. Therefore, as a **matter of law,** the Federal Agency and the accused state actors must be able to show compliance with the Act and prove Blessett's protected rights were granted. In a **judgment as a matter of law**, the Appellees had insufficient evidence to support their case.

8. Did the District Court abuse its discretion by erroneously denying a default against Steven Sinkin, Sinkin Law Firm (Sinkin), under the opinion given in *Bass v Hoagland U.S. 5th cir. Court 1949*? **ROA. 1175-79, 1617-21**
    a. Did the Court erroneously accept Sinkin without notice of Attorney of Record on or before February 10, 2022, the due date?
    b. Did the Court erroneously accept Steven A Sinkin made a physical appearance before the Court on or before February 10, 2022, due date?
    c. Did the Court erroneously ignore that Sinkin Law Firm had a fiduciary duty under a state court order to report payments to Texas State Distribution Unit (SDU) within a reasonable time? **ROA. 1462**
9. Did the Court erroneously ignore the City of Galveston has direct power to enforce its policy under Texas Local Government Code Title 3 Sec. 87.012 against judges, court clerks, and sheriffs for U.S. Constitution violations or incompetence?

STATEMENT OF THE CASE

In Blessett's opinion, HHS and named state actors are incompetent or intentionally deprived Blessett of his rights and privileges. Blessett is being forced to perform under the Act with no record of State Court judicial orders for Part A recovery of state funds or recorded evidence of his acknowledgment and commitment to the enforcement of the Title IV-D program. Blessett has named federal statutes in the Complaint as evidence provided by law. **ROA. 1687** ***In fact, Texas points out in its briefing his [Blessett] obligation was not modified.*** The Act requires the noncustodial parent's acknowledgment and commitment before enforcement or the federal requirement of a judicial order with proof of process services. Blessett had requested a judicial review of the federal Agency because of the lack of compliance with the Act.

Blessett's July 23, 1999, Final Divorce Decree support order excludes explicit language of acknowledgment of the legal consequence, rights, and responsibilities of Part D. Blessett is within his protected rights to demand the state actors provide verifiable evidence to refute the facts. Failure to give verifiable evidence to rebut the presumption against the Appellees is evidence supporting Blessett's argument. The District Court has erroneously abused its discretion in assessing the evidence that favors Blessett.

Blessett requested in a Private Agreement and legal notice for Greg Abbott, Ken Paxton, and Steven C Mc Craw to stop providing the Title IV-D services to him. **ROA. 1098,** In the Complaint's cause of actions, Joe Blessett has the standing to sue Greg Abbot, Ken Paxton, and Steven C Mc Craw under Ex parte Young for their failure to uphold their oath to the U.S. Constitution by not showing evidence for the capacity to enforce the Title IV-D program terms against JOSEPH C. BLESSETT. Blessett demanded Ken Paxton present for review the recorded or retained legal instrument[4] of JOSEPH C. BLESSETT's financial obligation to the Title IV-D agency or the State of Texas. **ROA. 706-722** Greg Abbott **ROA. 1097**, Ken Paxton and Steven C Mc Craw did not act in good faith or abide by the oath of office to uphold the U.S. Constitution. **ROA. 748-751** They allowed the continued state government's infringement of Blessett's rights under the color of law to service Part D. Greg Abbott, Ken Paxton, and Steven C Mc Craw ignored Blessett's private

[4] 45 CFR § 303.2(c) - Establishment of cases and maintenance of case records. (c) The case record must be supplemented with all information and documents pertaining to the case and all relevant facts, dates, actions taken, contacts made, and results in a case.
15 U.S.C. § 7001(e)Accuracy and ability to retain contracts and other records Notwithstanding subsection (a), if a statute, regulation, or other rule of law requires that a contract or other record relating to a transaction in or affecting interstate or foreign commerce be in writing, the legal effect, validity, or enforceability of an electronic record of such contract or other record may be denied if such electronic record is not in a form that is capable of being retained and accurately reproduced for later reference by all parties or persons who are entitled to retain the contract or other record.

request as public servants. **ROA. 113-118, 145-146.** Instead, the accused acted as a private individual outside their official capacity showing indifference and incompetence or willful intent to discard the U.S. Constitution. The Due Process Clause of the Fourteenth Amendment provides that *"[n]o State shall . . . deprive any person of life, liberty, or property, without due process of law." Like its counterpart in the Fifth Amendment, the Due Process Clause of the Fourteenth Amendment was intended to prevent government "from abusing [its] power, or employing it as an instrument of oppression,"* ***Davidson v. Cannon, 474 US 344 - Supreme Court 1986; see also Daniels v. Williams, supra, at 331*** *(" ` "to secure the individual from the arbitrary exercise of the powers of government," ' " and "to prevent governmental power from being `used for purposes of oppression' ")* ***(internal citations omitted); Parratt v. Taylor, 451 U. S. 527, 549 (1981) (Powell, J., concurring in result)*** *(to prevent the "affirmative abuse of power").* Specific federal provisions of the Act's purpose were to protect noncustodial parent's rights from the State. More importantly, proof of due process and process service of notice is a federal requirement of the Act for compliance. Federal courts may question the Act's performance by state contractors to ascertain the proper use of Congressional Acts and form judgments on the law as intended.

" Greg Abbott, Ken Paxton, and Steven C Mc Craw's *application of Title IV-D collection and enforcement even after receiving a notice of protest shows that child support debtors are a special class of persons governed by special legislation directed expressly to them and always connected with provisions of a U.S. Congressional Act being used to enslaved them without U.S. Constitution protections"* ***Paraphrasing Dred Scott v. Sandford, 60 US 393 - Supreme Court 1857***

Federal statute 42 U.S.C. 654 (12)[5] imposed a binding obligation for performance by the contracted state agency to comply with the federal provisions of the Act. **ROA. 1149** The District Court erroneously ignored the accused's noncompliance with the federal requirements of the Act. The lower Court has made a prejudicial error of law, going against stare decisis, evidence provided by federal law, and credible material evidence protecting Blessett. **ROA. 1115**

The state actors have a sworn duty[6] to prevent state government infringement[7] or provide documented verifiable evidence of Title IV-D commitment. Enforcement without consent violated the U.S. Constitution and the Act's federal statutes. **ROA. 1104**

De Novo Actions

Seeking a review of the District Court opinion that ignored Blessett's Complaint and the federal provisions of the Act that the State agreed to, under

---

[5] We reach a different result as to Blessett's claims that the defendant and its "contractors" engaged in fraud and violated his constitutional rights in their efforts to enforce and collect the state child support judgments. Because such claims do not ask the district court to review and reject a final order of a state court, they are not barred under the Rooker-Feldman doctrine. See Truong v. Bank of Am., N.A., 717 F.3d 377, 382-84 (5th Cir. 2013). Accordingly, we vacate the dismissal of such claims and remand to the district court. **BLESSETT v. TEXAS OFFICE OF ATTORNEY GENERAL GALVESTON COUNTY CHILD SUPPORT ENFORCEMENT DIVISION, No. 18-40142, Court of Appeals, 5th Circuit 2019**

[6] "Decency, security and liberty alike demand that government officials shall be subjected to the rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the government becomes a lawbreaker, it breeds contempt for the law, it invites every man to come a law unto himself. It invites anarchy. **(United States v. Olmstead, 277 U.S. 438 (1928)**

[7] State legislation and enforcement activities are permitted if they do not necessarily infringe any right, privilege, or immunity secured by the Constitution of the United States or by the amendments thereto. **Mugler v. Kansas, 123 U.S. 623**

45 CFR §§ 303.101(c)(2) and (d)(4) of the Act, requirements ***before*** a state court judgment and with adherence to U.S. Constitution Article VI, Clause 2. **ROA. 1149-50**

Voluntary acknowledgment and commitment to the program, evidence of safeguarded due process, and showing ***process has been served*** for entering a default order before a judgment is a federal condition Greg Abbott agreed to comply with the Act. The Supremacy Clause and the Spending Clause requirements for federal grants under the Act require ***proof of process services*** to enforce Title IV-D and due process under the supreme law of the land. Contracted states ***surrender verification of due process and process service*** to the federal government to receive federal grants under 45 CFR §§ 303.101(c)(2) and(d)(4), (42 U.S.C. § 666(5)(H)) of Part D. The District Court was tasked with reviewing the agencies competency, the compliance with the terms of the Act, and the infringement of Blessett's protected rights. **ROA. 1068 -1070, 1081-83, 1124-26**

Under Ex parte Young, Blessett sued Greg Abbott, Ken Paxton, and Steven C McCraw for breach of their oath to the U.S. Constitution. In a Private Law legal notice, Blessett asked the state actors to halt the Title IV-D enforcement; otherwise, provide proof of capacity to enforce. Greg Abbott, Ken Paxton, and Steven C McCraw were informed of the consequence of failure to respond. Blessett's evidence and federal provisions of the Act establish abuse of powers in the enforcement of Title IV-D. Furthermore, Greg Abbott, Ken Paxton, and Steven C McCraw breached their oath to the U.S. Constitution by allowing the enforcement to continue after being made aware of the injuries to Blessett. The private law agreement is an evidence-gathering tool and an agreement with Greg Abbott, Ken Paxton, and Steven C McCraw showing

failure to respond in their official capacity to prevent the abuse of power. Greg Abbott, Ken Paxton, and Steven C McCraw's acquiescence to the terms of the Private Agreement in their private capacity is outside of their duties as state officials servicing the needs of the government. They should have defended in their official capacity when charged under Blessett's protest.

De Novo Review of Blessett's Complaint for unopposed stipulated consequences if Ken Paxton failed to respond as agreed. ***Accordingly, if Ken Paxton declines to validate the alleged state debt owed by JOSEPH C. BLESSETT, the debt is declared invalid and made whole upon dismissal or adjudication of this federal Complaint. Title IV-D service for JOSEPH C. BLESSETT is therefore terminated.*** **ROA. 1063**

De Novo Review of Sinkin 's failure to give notice for ***Attorney of Record*** and timely answer the Complaint as a noticed attorney in compliance with federal rules of civil procedures and ***Bass v Hoagland U.S. 5th cir. Court 1949.*** Sinkin never submitted an ***Attorney of Record*** before February 10, 2022, the due date to answer with the Clerk of Court forfeiting rights to plead. Additionally, Steven A Sinkin, or Counsel of Record, *never appeared before the Court before the due date* to answer. Can the Federal district Court disregard U.S. 5th Cir. Court precedents, the Federal Civil Rule of Procedures 11(a) ***Attorney of Record,*** and Rule 12(a)(1) ***time to answer*** without establishing prior local court rules? To deny Blessett stare decisis and the federal laws as written is deprivation and discrimination as mentioned in the Complaint against child support debtors in favor of Title IV-D child support orders without U.S. Constitutional protections. An attorney acknowledged by the Court must sign a litigant's document under Rule 11 recorded with the Clerk of the Court. Under the Court's opinion, anyone off the streets can sign a pleading or motion for submission to the opposing litigant. Steven A Sinkin

was served and did not personally respond to the Complaint, representing himself as the Texas-listed agent for Sinkin and Barretto PLLC, Sinkin Law Firm. **ROA. 277-82**

.De Novo review of the United States 45 CFR §303.107(d) payments to Texas for the administration of Title IV-D and child support payment to recouped for Title IV-A under organic law with commerce clause protection for the obligor or child support debtor under federal law of the Act. As described in Clearfield Trust Doctrine, these are business transactions, money for services from one entity to another. The U.S. Constitution contains the power to protect Blessett's uniform commerce rights. Did Blessett receive uniform commerce clause protection under the enforcement of the Act? Federal and State agencies infringed upon Blessett's U.S. Constitution-protected rights under Cooperative Federalism if Blessett never consented to the Act. They were performing debt collection services under the Act. Xavier Becerra's agreement with the U.S. Congress and Greg Abbott's duty to Texas requires compliance with the Act.

The District Court's use of ***Wetmore v. Markoe, 196 U.S. 68, 74 (1904)*** is erroneous in that it denies the terms and protections of Blessett's state court-ordered duty for support. The District Court's opinion directly conflicts with Blessett's U.S. Constitution-protected rights against state government infringement and federal Spending Clause conditions of the Act. The use of bankruptcy court policy is an inappropriate decision that is biased and irrelevant. The District Court's opinion created a policy and precedent that strips noncustodial parents' protection against noncompliance with the federal provisions of the Act. As stated, *"about what makes for good public policy should be directed to Congress; the judiciary's job is to enforce the law Congress enacted, not write a different one that judges think superior."* Bethea v. Robert J. Adams & Assocs., 352 F.3d 1125, 1127-28 (7th

Cir.2003) (citing *Barnhart v. Sigmon Coal Co.*, 534 U.S. 438, 460-62, 122 S.Ct. 941, 151 L.Ed.2d 908 (2002)). Title IV-D, child support orders, are federal interstate commerce contracts with U.S. Congress restrictions on the state agencies under the Act. The *U.S. Constitution* and the federal provisions of the Act give Blessett the right to decline the Part D agreement and question its enforcement. **ROA. 1687** The District Court's verifies Blessett argument in its opinion, "***as Texas points out in its briefing his obligations were not modified.***" The Lower Courts opinion 22 C.F.R. § 51.60(a)(2) for passport denial refers to federal provision 42 U.S.C. 652(k) of the Act. **ROA. 1687**

Blessett has repeatedly made it clear that he knows the Divorce Decree itself is a state court adjudication of paternity. **ROA. 1083, 1087** Blessett knows he owes nothing to the state agency, not even considered without verifiable evidence of the alleged Part A debt or his acknowledgment and commitment to the terms of Part D of the Act. **ROA. 420**

SUMMARY OF THE ARGUMENT

Blessett provided his July 23, 1999, Final Decree of Divorce contract. It does not include consent to the legal consequences and the responsibilities that arise from signing a voluntary ***Title IV-D acknowledgment from*** the state's Acknowledgment of Paternity Form (AOP) or consent to participate in the Act. Blessett sent Greg Abbott, Ken Paxton, and Steven C McCraw a Private Law agreement to stop the deprivation of his rights. *Blessett presented copies of the Private agreement signed by a Texas notary as verified evidence of noncompliance of the Act federal provision, with Blessett's U.S. Constitution protections, and stare decisis served to meet the burden of jurisdiction for the Court to rely upon: "(1) the complaint alone; (2) the complaint supplemented by undisputed facts evidenced in the record; or (3) the complaint supplemented by undisputed facts plus the court's*

resolution of disputed facts." Barrera–Montenegro v. United States, 74 F.3d 657, 659 (5th Cir. 1996) (quoting Voluntary Purchasing Groups, Inc. v. Reilly, 889 F.2d 1380, 1384 (5th Cir. 1989)). *When standing is challenged in a motion to dismiss, the court "must accept as true all material allegations of the complaint and . . . construe the complaint in favor of the complaining party."* Ass'n of Am. Physicians & Surgeons v. Tex. Med. Bd., 627 F.3d 547, 550 (5th Cir. 2010) (quotations omitted). The district court erroneously dismissed with prejudice under FRCP 12(b)(1). Without subject matter jurisdiction, the Court cannot form a prejudicial opinion.

Xavier Becerra, Greg Abbott, Ken Pan Paxton, and Steve McCraw's enforcement of the Act was done with indifference and incompetence. (Social Security Act SEC.466) - 45 U.S. Code § 303.101(b) explains it, with emphasis on modifying orders § 303.101(b)(1) and safeguards § 303.101(c)(2). **ROA 420** Blessett has proven through the certified Complaint and verifiable evidence **ROA. 1056**. that U.S. Congress intended for the contracted state actors to follow the federal provisions of the Act as written.

Blessett's Complaint, U.S. Supremacy Clause, and verifiable evidence shifted the burden of proof[8] to Greg Abbott, Ken Paxton, and Steven C. McCraw to prove legal standing to enforce the Title IV-D program. **ROA. 1096-1107** Greg Abbott, Ken Paxton, and Steven C. McCraw were served and charged under Ex parte young. Blessett presented certified Certificates of Non-response and other factual evidence exposing Greg Abbott, Ken Paxton, and Steven C. McCraw's private capacity civil liability. Greg Abbott, Ken Paxton, and Steven C. McCraw did not provide verifiable

[8] Fed.Rule of Evidence 301. Presumptions in Civil Cases Generally. In a civil case, unless a federal statute or these rules provide otherwise, the party against whom a presumption is directed has the burden of producing evidence to rebut the presumption. But this rule does not shift the burden of persuasion, which remains on the party who had it originally.

evidence to escape liability under Ex parte Young, as explained in the Complaint, motions, and evidence presented against them.

The Court did not receive evidence from Greg Abbott, Ken Paxton, and Steven C. McCraw to dispute Blessett's claims. Secondly, the Court Clerk did receive evidence of Blessett's private agreement requesting a copy of the legal instrument that gave Ken Paxton and Steven C. McCraw standing to enforce Title IV-D administrative orders. Third, Blessett and the Court did not review verifiable evidence of a 2014 judicial order to suspend the Plaintiff's driver's license.

Greg Abbott, Ken Paxton, and Steven C. McCraw are responsible for their inaction after receiving notice from Blessett by not stopping the unlawful Title IV-D restraints on Blessett. Accordingly, common sense and reason would ask why the state officials did not move *to moot* this case with the evidence for Blessett and the Court to review. They did not because they could not provide proof of compliance with the Act or judicial order for enforcement does not exist. For example, where is the evidence of Blessett's acknowledgment and commitment to Part D or a modification of the Final Divorce Decree support before 2005 for the *"Denial of U.S. Passport or* before *2014 for the Suspension of Texas driver's license?"* Instead, the District Court ruled on meritless defense arguments that ignored Blessett's facts and verifiable evidence.

Greg Abbott, Ken Paxton, and Steven C. McCraw swore an oath to uphold the U.S. Constitution. No state has no power to impart to [the official] any immunity from responsibility to the supreme authority of the United States. Failure to protect the U.S. Constitution removes 11th amendment immunity protections. To dismiss this civil case, the Court must deny Ex parte Young and ignore the evidence on file with the Clerk of the Court showing the Defendants receiving legal notice and the Act's requirements for compliance. The tacit conduct of Greg Abbott, Ken Paxton,

and Steven C. McCraw after receiving a Private Agreement requesting proof to enforce a support order under the Act violates their oath of office. Blessett's Private Law Agreement is a Texas notarized request for the legal instrument from Greg Abbott, Ken Paxton, and Steven C. McCraw to show the capacity to enforce Title IV-D restraints under the Act. Blessett's state court support order is credible evidence presented against Greg Abbott, Ken Paxton, and Steven C. McCraw. *Bell Atlantic Corp. v. Twombly*[9] standards for "Plausibility" were met to show Greg Abbott, Ken Paxton, and Steven C. McCraw lost their immunity through the ***Doctrine of Tacit Admissions***. **ROA. 1160** Greg Abbott, Ken Paxton, and Steven C. McCraw declined to respond, and Blessett accepted their silence as acceptance of the terms of the Private Agreement. Blessett entered this legal action against Greg Abbott, Ken Paxton, and Steven C. McCraw with the terms of the Private Agreement known before the legal action. The U.S. Constitution, U.S. Congress, and Ex parte Young give Blessett standing to sue under the "Constitutional Question" for injuries caused by government infringements under unlawful enforcement of the Act.

Greg Abbott as the Texas state governor[10] under Texas Family Code Sec. 231.002 (d) and Chief Executive Officer, Abbott had tacit and explicit knowledge of

---

[9] "While a complaint ... does not need detailed factual allegations, a plaintiff's obligation to provide the 'grounds' for his 'entitle[ment] to relief' requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do." Id. at 555 (citations omitted). Thus, a complaint alleging conspiracy must include "enough factual matter (taken as true) to suggest that an agreement was made." Id. at 556. The Court emphasized the enormous cost of discovery in antitrust suits and the impossibility of alleviating such costs through careful management of discovery or summary judgment. Id. at 557–59

[10] Texas Family Code Sec. 231.002 (d) Consistent with federal law and any international treaty or convention to which the United States is a party and that has been ratified by the United States Congress, the Title IV-D agency may: (1) on approval by and in cooperation with the governor, pursue negotiations and enter into reciprocal arrangements with the federal government, another state, or a foreign country or a political subdivision of the federal government, state, or foreign country to: (A) establish and enforce child support obligations; and (B) establish mechanisms to enforce an order providing for possession of or access to a child rendered under

Blessett's opposition to the unlawful Title IV-D enforcement. In addition, Greg Abbott agreed and surrendered to the federal provisions to enforce the approved Part D state plan.

Ken Paxton is the Texas Office of Attorney General Child Support Enforcement Division[11] (OAG) under Texas Family Code Sec. 231.001. The attorney general's office is designated as the State's Title IV-D agency. Ken Paxton had tacit and explicit knowledge of Blessett's opposition to the unlawful Title IV-D enforcement with authority to correct the Title IV-D abuses.

Steven C. McCraw was served a private notice because of his direct relationship with the Texas Department of Public Safety and the ability to return Blessett's freedom to travel and receive due process[12]. ***See Reno v. Condon, 528 US 141(2000)***, The Texas Title IV-D Agency enforced Title IV-D license suspension[13] against JOSEPH C. BLESSETT on September 22, 2014, under the federal statute 42 U.S.C. 666(a)(16) of Title IV-D of the Social Security Act. ***See Kent v. Dulles 357 U.S. 116 (1958***

Greg Abbott, Ken Paxton, and Steven C. McCraw are guilty as charged for their inaction to prevent state government infringement after receiving a legal notice from Blessett protesting the abuse. Greg Abbott, Ken Paxton, and Steven C. McCraw had

---

Chapter 153; (2) spend money appropriated to the agency for child support enforcement to engage in international child support enforcement; and (3) spend other money appropriated to the agency necessary for the agency to conduct the agency's activities under Subdivision (1).

[11] Texas Family Code Sec.231.001. DESIGNATION OF TITLE IV-D AGENCY. The office of the attorney general is designated as the state 's Title IV-D agency.

[12] . Under ***Reno v. Condon, 528 US 141(2000)***, *The activity license by the state Department of Motor Vehicle and in connection with which individuals must submit personal information to the DMV for the operation of motor vehicles is itself integrally related to interstate commerce.*

[13] ***Kent v. Dulles 357 U.S. 116 (1958)*** *was the first case in which the U.S. Supreme Court ruled that the right to travel is a part of the "liberty" of which the citizen cannot be deprived without due process of law under the Fifth Amendment*

a duty to the U.S. Constitution and to prevent the continued state government infringement of Blessett's rights.

However, nothing in the language or legislative history of § 1983 suggests that in an action brought against a public official whose position might entitle him to immunity if he acted in good faith, a plaintiff must allege bad faith to state a claim for relief. By the plain terms of § 1983, two—and only two—allegations are required to state a cause of action under that statute. *First, Blessett has alleged that Greg Abbott, Ken Paxton, and Steven C. McCraw's inaction has deprived him of equal protection and privileges under state law under the color of law and denied him the federal privilege of a U.S. Passport. Second, Blessett has alleged that Greg Abbott, Ken Paxton, and Steven C. McCraw have deprived Blessett of state privilege of Texas Driver's License without due process rights acted under the color of state or territorial law. The accused did nothing to prevent the injuries from continuing after receiving Blessett's notice of protest.* ***See Monroe v. Pape, 365 U. S. 167, 171 (1961).*** Greg Abbott, Ken Paxton, and Steven C. McCraw were given legal notice to stop the abuse or respond. Instead, Greg Abbott, Ken Paxton, and Steven C. McCraw failed to show reasonably good faith efforts to resolve the continuing injury.

ARGUMENT

The Supreme Court has recognized four general limitations: spending must be in pursuit of the general welfare; any attached conditions must be unambiguous; conditions must also be related to a federal interest, and the obligations imposed by Congress may not violate any independent constitutional provisions. ***See Dole, 483 U.S. at 207-08****. The Supreme Court has recognized that Congress intended these linkages between Title IV-D child support programs and the TANF program.* ***See Sullivan v. Stroop, 496 U.S. 478, 48 (1990) (concluding Congress intended the two***

programs to "operate together closely to provide uniform levels of support for children of equal need"). The State must provide the noncustodial parent with the consequence of Title IV-D services before signing an acknowledgment of legal consequences, must be given notice, orally or through the use of video or audio equipment, and in writing, of the alternatives to the legal consequences of, and the rights and responsibilities that arise from, signing the acknowledgment. The evidence shows that Xavier Becerra, Greg Abbott, Ken Paxton, and Steven C McCraw are incompetent and unable to delegate authority to subordinates to comply with the federal provisions of the Act to prevent government infringement of private citizen's rights. The District Court needed verifiable evidence showing with whom, when, where, and how Blessett acknowledged the consequences of the agreement for Part D and committed to the terms. Or, the Court needed verifiable evidence of state court judicial order for Part D enforcement established with the required statutory provision of the Act to form an opinion on the legislation written by U.S. Congress.

I. In this civil action, every Appellee - Defendant swore an oath to uphold the U.S. Constitution. The state has no power to impart to [the official] any immunity from responsibility to the supreme authority of the United States. The District Court erroneously ignored the tacit conduct of Greg Abbott, Ken Paxton, and Steven C. McCraw after receiving notice from Blessett as evidence of them breaching their oath of office. Blessett's Private Agreement requested for Greg Abbott, Ken Paxton, and Steven C. McCraw to show the capacity to enforce Title IV-D. *Bell Atlantic Corp. v. Twombly*[14] standards for "Plausibility" were met when Greg Abbott, Ken

[14] "While a complaint ... does not need detailed factual allegations, a plaintiff's obligation to provide the 'grounds' for his 'entitle[ment] to relief' requires more than labels and conclusions, and a formulaic recitation of the elements of a cause of action will not do." Id. at 555 (citations

Paxton, and Steven C. McCraw declined to respond or act to remedy the injuries as requested. The Court ignored their silence as an admission of wrongdoing and acceptance of the terms of the Private Agreement. It is noncompliance with the Act, a violation of the U.S. Constitution, and the acceptance of the private agreement. The U.S. Constitution, U.S. Congress, and Ex parte Young gave Blessett access to the Federal Court for "Federal Question" 28 U.S.C. 1331 and injuries caused by state and federal government infringement under Part D enforcement. The Court received evidence destroying Greg Abbott, Ken Paxton, and Steven C. McCraw's credibility and nothing to refute or protect their credibility. **ROA. 1589-98** Blessett is entitled to relief to stop the deprivation of his rights if Greg Abbott, Ken Paxton, and Steven C. McCraw cannot refute the presumptions with verifiable evidence. Greg Abbott, Ken Paxton, and Steven C. McCraw were allowed to defend themselves with the required proof according to the U.S. Constitution and the Rule of Law.

Blessett did not ask the Court to level a monetary judgment under 28 USC § 1331. Instead, Blessett asked the Court for a ruling on the ***Private Agreement*** with Greg Abbott, Ken Paxton, and Steven C. McCraw under supplemental jurisdiction 28 USC § 1367(a). Greg Abbott, Ken Paxton, and Steven C McCraw fall under the Uniform Commercial Code (UCC)-3.305(b)[15]. Accordingly, Greg Abbott, Ken Paxton, and Steven C McCraw were obliged to respond to the Notice of Acceptance

---

omitted). Thus, a complaint alleging conspiracy must include "enough factual matter (taken as true) to suggest that an agreement was made." Id. at 556. The Court emphasized the enormous cost of discovery in antitrust suits and the impossibility of alleviating such costs through careful management of discovery or summary judgment. Id. at 557–59

[15] § 3-305. DEFENSES AND CLAIMS IN RECOUPMENT. (b) The right of a holder in due course to enforce the obligation of a party to pay the instrument is subject to defenses of the obligor stated in subsection (a)(1) but is not subject to defenses of the obligor stated in subsection (a)(2) or claims in recoupment stated in subsection (a)(3) against a person other than the holder. ***https://www.law.cornell.edu/ucc/3/3-305 (Legal Information Institute)***

and Nonresponse in their official capacity for a direct protest of Part D enforcement or pay the amount agreed for their private capacity decisions.

Greg Abbott, Ken Paxton, and Steven C. McCraw did not respond to Blessett's Private agreement, Production of Documents **ROA. 382-85**, *Partial Summary Judgment* **ROA. 869** or *Petition for the Writ of Habeas Corpus* **ROA. 1253-60** to prove verifiable evidence for legal standing to continue enforcing the Act against Blessett. Additionally, Blessett's Private Agreement as a discovery tool exposed Ken Paxton and Steven C. McCraw's lack of Title IV-D standing to implement penalties. Therefore, there is no evidence to support an alleged Part A debt or Part D enforcement against JOSEPH C BLESSETT under federal provisions.

Common sense and reason would ask why not move *to moot* this case by providing the evidence to Blessett and the Court for review. Where is the District Court's proof of JOSEPH C BLESSETT's consent to Title IV-D services or a modification of the Final Divorce Decree before the *"Denial of U.S. Passport or Suspension of Texas driver's license?"* To date, no one Defendant-Appellee has presented credible evidence that the Court can use to justify denying the Blessett relief from the Part D restraints.

What criminal act did JOSEPH C BLESSETT commit? What evidence[16] has shown JOSEPH C BLESSETT's Title IV-D liability?

The July 23, 1999, Final Decree of Divorce does not include the explicit language of an acknowledgment and commitment to the alternatives or legal consequences of a Part D contract. Therefore, it is not contained in this decree divorce contract. Then the contracted

[16] "Determining whether a complaint states a plausible claim for relief [is] a context-specific task that requires the reviewing court to draw on its judicial experience and common sense." **Ashcroft v. Iqbal, 556 US 662 - Supreme Court 2009**

state must adhere to Blessett's protected rights and the Act's safeguards under 42 U.S.C. §666 as stated in 45 CFR §303.101 expedited and judicial process. *The federal provisions of the Act are Spending Clause requirements superseding state authority under U.S. Supremacy Clause.* **ROA. 1086,1100,1105-06, 1143, 1146**

United States v. Bongiorno, 106 F.3d 1027, 1032 (1st Cir. 1997), it was held that "state-court-imposed child support orders are 'functionally equivalent to **interstate contracts,**'" rejecting the idea that child support payment obligations are somehow a "different" kind of debt.

To guarantee a fair, just, and legal due process. Anniston Mfg. Co. v. Davis, 301 U.S. 337, 353, 57 S.Ct. 816, 81 L.Ed. 1143 (1937) "*Constitutional questions are not to be decided hypothetically. When particular facts control the decision, they must be shown.* **ROA. 254-256, 258-260, 382-385, 869-876** The request within the Complaint, the motion for production of documents, the demand for a writ of habeas corpus, and private agreements are evidence against the District Court's opinion. Where is the evidence the Court reviewed for federal compliance or the modification of July 23, 1999, Final Decree of Divorce establishing the inclusion of Title IV-D? " **ROA. 1650-56**

Blessett's Complaint establishes the state government's deprivation and infringement of his protected rights in its failure to comply with the Act. Additionally, Blessett stated for the U.S. District Court under penalty

of perjury as a firsthand witness[17] to action and activities that the artificial entity JOSEPH C. BLESSETT is clear of any *NONDISCHARGEABILITY*[18] **debts owed to the State of Texas under 42 U.S.C. 656(b). ROA. 1061-1062** Under the Rules, statements of the events from the counsel for the Appellees are hearsay.

SUPPORT PROCEEDINGS UNDER 45 CFR 303.101 MUST PROVIDE PROOF OF DUE PROCESS OF LAW AND PROVIDE JUDICIAL REVIEW, OR PROCEEDINGS ARE VOID AB INITIO

Blessett has the right to demand the state actors comply with 42 U.S.C. 654(12), 42 U.S.C. §666(a)(5) that applies to both 45 CFR §303.101 expedited and judicial process to continue enforcing Part D.

45 CFR §303.101(c)(2) Safeguards. Under expedited processes: The due process rights of the parties involved were protected;

Definition. Expedited processes mean administrative and judicial procedures (including IV-D agency procedures) required under sections 466(a)(2) and (c) of the Act;

42 U.S. Code § 1983 - Civil action for deprivation of rights In this Circuit, before a plaintiff may maintain a civil rights suit, he must show an abuse of governmental power that rises to a constitutional level. **Love v. King, 784 F.2d 708, 712 (5th Cir. 1986); Williams v. Kelley, 624 F.2d 695, 697 (5th Cir. 1980), cert. denied, 451 U.S. 1019 (1981)**. A

[17] Fed.Rule of Evidence 602. Need for Personal Knowledge. A witness may testify to a matter only if evidence is introduced sufficient to support a finding that the witness has personal knowledge of the matter. Evidence to prove personal knowledge may consist of the witness's own testimony.

[18] 42 U.S. Code § 656(b) Nondischargeability
A debt (as defined in section 101 of title 11) owed under State law to a State (as defined in such section) or municipality (as defined in such section) that is in the nature of support and that is enforceable under this part is not released by a discharge in bankruptcy under title 11.

civil rights plaintiff must allege a deprivation of a federally protected right to set forth a prima facie case. **Maine v. Thiboutot, 448 U.S. 1 (1980); Williams v. Treen, 671 F.2d 892, 900 (5th Cir. 1982)**.

Furthermore, the following points are undisputed:

1. ***Blessett requested the U.S. District Court drop Texas and its agencies as defendants***. **ROA. 477-46**
2. It is common knowledge that private citizens must waive their rights to due process and judicial protections to acknowledge and consent to executive branch administrative decisions.
3. It is common knowledge that all government officials elected or appointed are sworn to protect the U.S. Constitution and abide by federal laws.
4. U.S. Congress enacted the federal statutes of Title IV for the HHS Secretary, the contracting states, and 45 CFR 302.34 contractors to follow. Xavier Becerra, Greg Abbott, Ken Paxton, and Steven McCraw don't get to pick and choose what federal statutes or U.S. Constitution protection to follow in the application of the U.S. Congress enacted federal program.
5. Blessett retained Greg Abbott, Ken Paxton, and Steven C McCraw, under Ex parte Young Doctrine, as defendants.
6. The **United States Constitution** does not guarantee entitlement to a biological heterosexual male, Father, or husband's wages, income, or property to support a child or ex-spouse under the Act. *The Supreme Court has been "reluctant" to recognize rights that are not mentioned in the Constitution.* ***Collins v. Harker Heights,***

503 U. S. 115, 125, see Dobbs v. Jackson Women's Health Organization, Supreme Court No. 19-1392

7. The Act is a federal government voluntary program enacted by the U.S. Congress.

8. As the presumed father, Blessett retains all U.S. Constitution-protected rights and is under no obligation to use federal or state government services as the father of a child.

9. Sec. 42 U.S.C. 666(D)(iii) does not establish Blessett's acknowledgment or commitment to the provision of Part D. It only shows the presumed fathers. The lack of verifiable evidence in this civil action proves the State court stopped short of documenting violations of the U.S. Constitution by not submitting orders to implement Part D without evidence of 42 U.S.C. 666(a)(2), 42 U.S.C. 666(C)(i), and 45 CFR §303.101(c)(2) and (d)(4). *The District Court also abstained from signing any of the Appellee's orders because they disagreed with federal statutes of the Act and the U.S. Constitution in this civil action*.

10. In this civil action, there is no verified evidence of Blessett's acknowledgment and commitment or a state court judicial order to repay Part A debt.

11. **Tex. Fam. Code § 231.109(d)** An attorney employed to provide Title IV-D services represents the state's interest and not the interest of any other party. The provision of services by an attorney under this chapter does not create an attorney-client relationship between the Attorney and any other party. *No Attorney employed*

for Title IV-D services has the federally required documents for proof of service to Blessett.

12. **45 CFR § 303.11(b)(17)** - Case closure criteria (b) The IV-D agency may elect to close a case if the case meets at least one of the following criteria and supporting documentation for the case closure decision is maintained in the case record:**(17)** *The responding agency documents failure by the initiating Agency to take an action that is essential for the next step in providing services;*

13. **42 U.S.C. § 654(29)** provides that the State agency responsible for administering the State plan—**(D)**may request that the individual sign a voluntary acknowledgment of paternity ***after notice of the rights and consequences of such an acknowledgment, but may not require the individual to sign an acknowledgment*** or otherwise relinquish the right to genetic tests as a condition of cooperation and eligibility for assistance under the State program funded under part A, the State program under part E, the State program under subchapter XIX, or the supplemental nutrition assistance program, as defined under section 2012(l) 1 of title 7;

14. The United States pays Texas reimbursement for Title IV-D administrative services just like any other ***Clearfield Trust*** business transaction for services. 45 CFR §303.107(d)

15. Greg Abbott, Ken Paxton, and Steven C McCraw swore an oath to uphold the U.S. Constitution and enforce federal law.

16. ***Equitable Contracts and Agreements*** provide the terms for supporting a child or ex-spouse. ***You cannot have an enforceable***

duty without terms.

17. Blessett's July 23, 1999, state court child support order is evidence of the private agreement that sets the terms of his duty to support the child of the marriage.

18. The Court never reviewed Blessett's acknowledgment or commitment to the Title IV-D program.

19. No documentary evidence has ever been presented to the federal courts to show Blessett's acknowledgment and commitment to the Title IV-D program.

20. Blessett lost his U.S. passport privileges in 2005 under administrative orders without acknowledgment and commitment to the Title IV-D program.

21. Blessett lost his driver's license privileges in 2014 under administrative orders without acknowledgment and commitment to the Title IV-D program. **ROA. 612-15**

22. Noncustodial parents have federal safeguards under U.S. Constitution and 42 U.S.C. §666(a)(5)(C), 45 CFR §§303.101(b)(2), and (c)(2) required under section 466(a)(2) and (c) of the Act.

23. As a federal condition of the Act, there is a repeated request for proof of process services for compliance.

24. State Actors must submit to Part D federal Spending Clause provisions and U.S. Supremacy Clause;

    A. **45 CFR §303.101(c)(2)** Safeguards. Under expedited processes, the **due process rights** of the parties involved must be protected;

(d) Functions. The expedited processes must include **(4)** *Entering default orders upon a showing that process has been served on the defendant* in accordance with State law and that the defendant failed to respond to service in accordance with State procedures.

B. 42 U.S.C. §666(a)(2) - Expedited **administrative and judicial procedures (including the procedures specified in subsection (c))** for establishing paternity and for establishing, **modifying,** and enforcing support obligations.

C. 42 U.S.C. §666(a)(5)(C)-Voluntary paternity acknowledgment.— (i)Simple civil process.— Procedures for a simple civil process for voluntarily acknowledging paternity under which the **State must provide that, before *a putative father can sign an acknowledgment of paternity, the mother and the putative father must be given notice, orally or through the use of video or audio equipment, and in writing, of the alternatives to, the legal consequences* of,** and the rights *and responsibilities that arise from, signing the acknowledgment.*

D. (Social Security Act SEC.403) - 42 U.S. Code § 603(a)(5)(C)

(iii) Noncustodial parents.

(III) In the case of a noncustodial parent who becomes **enrolled in the project** on or after the date of November 29, 1999, the enactment of this clause, ***the noncustodial parent is in compliance with the terms*** of an oral or written personal responsibility contract entered into among the noncustodial

parent, the entity, and (unless the entity demonstrates to the Secretary that the entity is not capable of coordinating with such Agency) the Agency responsible for administering the State plan under part D, which was developed taking into account the employment and child support status of the noncustodial parent, which was entered into not later than 30 (or, at the option of the entity, not later than 90) days after the **noncustodial parent was enrolled in the project,** and which, at a minimum, includes the following:

(aa) ***A commitment by the noncustodial parent to cooperate,*** at the earliest opportunity, in the establishment of the paternity of the minor child, through **voluntary acknowledgment** or ***other procedures,*** and in establishing a child support order.

(bb) A commitment by the noncustodial parent to cooperate in the payment of child support for the minor child, **which may include a modification of an existing support order** to take into account the ability of the noncustodial parent to pay such support and the **participation of such parent in the project.**

(dd) A description of the services to be provided under this paragraph, and ***a commitment by the noncustodial parent to participate*** in such services, that are designed to assist the noncustodial parent obtain and retain employment, increase earnings, and enhance the financial and emotional contributions to the well-being of the minor child.

E. Under **42 U.S.C. 654(12),** the state plan must provide Blessett **(A)**with notice of all proceedings in which

support obligations might be established or modified; **(B)**with a copy of any order establishing or modifying a child support obligation.

F. **45 CFR § 303.2** - Establishment of cases and maintenance of case records. **(c)** *The case record must be supplemented with all information and documents pertaining to the case and all relevant facts, dates, actions taken, contacts made, and results in a case.*

Federal Rule of Evidence 803 *(7) Absence of a Record of a Regularly Conducted Activity. (A) the evidence is admitted to prove that the matter did not occur or exist.*

Blessett's Divorce Decree – Support order does not expressly grant written terms within its contents for Title IV-D program services. U.S. Congress legislative terms bind the Appellee-defendants. *So, when interpreting legislation, the court's role "is to apply the statute as it is written—even if we think some other approach might 'accor[d] with good policy.'" **Burrage v. United States, 571 U.S. 204, 218 (2014) (alteration in original)(quoting Comm'r v. Lundy, 516 U.S. 235, 252 (1996)).** Federal law controls the interpretation of a [Title IV] contract entered pursuant to federal law when the United States is a party.* **ROA. 1075** ***United States v. Seckinger, 397 U.S. 203, 209-10, 90 S.Ct. 880, 884-85, 25 L.Ed.2d 224 (1970) (Seckinger)*** *Federal law controls the interpretation of the contract.* ***See United States v. County of Allegheny, 322 U. S. 174, 183 (1944);[12] Clearfield***

Trust Co. v. United States, 318 U. S. 363 (1943). *This conclusion results from the fact that the contract was entered into pursuant to authority conferred by federal statute and, ultimately, by the Constitution.* ***United States v. Seckinger, 397 US 203 - Supreme Court 1970***. Accordingly, the district court erroneously ignored the evidence provided by law.

Under Blessett's Private agreement with Greg Abbott, Ken Paxton, and Steven C McCraw, they were allowed to decline the terms. Blessett protected their U.S. Constitution rights in good faith with verified evidence of their acceptance of the agreement. Blessett's U.S. Constitution-protected rights were not preserved under the federal laws of the Act, in good faith and with verified evidence of his acceptance of the Part D agreement. **See Mathews v. Eldridge, 424 U.S. 319, 348 (1976)** *("The essence of due process is the requirement that a person in jeopardy of serious loss (be given) notice of the case against him and opportunity to meet it.")* In 2005, under administrative order, with the U.S. Passport denial, Joe Blessett lost his right to apply his knowledge and training to provide a secure future, health or pay support payments from income loss in his field of expertise as a Merchant Mariner maritime engineer without notice or the opportunity to defend.

i. A state judge cannot perform a divorce proceeding, and Title IV-D administrative duty to establish an agreement for the Title IV-D agency as a judicial officer. 45 CFR §303.107(a)

Texas Constitution Article 2 Sec. 1. The powers of the Government of the State of Texas shall be divided into three distinct departments, each of which shall be confined to a separate body of magistracy, to wit: Those which are Legislative to one; those which are Executive to another, and those which are Judicial to another; and no person, or collection of persons, being of one of these departments, shall exercise any power properly attached to either of the others;

"*A judge ceases to sit as a judicial officer because of the governing principle of administrative law provides that courts are prohibited from substituting their evidence, testimony, record, arguments, and rationale for that of the Agency. Additionally, courts are prohibited from substituting their judgment for that of the Agency. Courts in administrative issues are prohibited from even listening to or hearing arguments, presentation, or rational.*" ***AISI v US 568 F2d 284.***

ii. The District Court erred in not accepting evidence that states: The Texas Attorney General was not a party and did not participate in the mediated settlement or the Agreed Decree of Divorce. The Agreed Decree of Divorce is itself [an]sic adjudication of paternity by the Court. See Tx. Fam. Code 160.637 (a) (2). **ROA. 420**

a. Texas Family Code 160.637 (a) (2) does not establish paternity or satisfy due process for the sake of Title IV-D agency without satisfying 42 U.S.C. §666(a)(5)(C)

performed by a Title IV-D agent or contractor providing the legal consequences verbally or in writing.

b. The OAG defense admitted to not being involved in any judicial proceedings. **ROA. 959, 1687**

The Divorce Decree states; Relief Not Granted.

It is ordered and Decreed that all relief requested in this case and not **expressly granted** is denied.

Supremacy Clause. As it is an agreed to the terms and conditions of the Decreed Divorce Contract.

A. **45 CFR 303.101(c)(2)** and supporting federal statutes clarify that due process must safeguard the judicial process and information about the legal consequences.

B. **The decreed divorce contract**: #14. Clarify Orders. **ROA. 418**

Without affecting the finality of this Final Decree of Divorce, this Court reserves the right to expressly make orders necessary to clarify and enforce this decree. *Where are the supporting documents supporting due process served? The District Court erred in law in accepting evidence that does not support a position based on law.*

The decreed divorce contract: #15. Relief Not Granted, **ROA. 418**

IT IS ORDERED AND DECREED that all relief requested in this case and not expressly granted is denied. The District Court erred in its application of the law. The Final Decree of Divorce does not expressly grant:

The Decreed Divorce contract clearly establishes private support for the child of the marriage at $800.00 per month to the age of maturity, the child dies, marries, or further order modifying this support order. **ROA. 937** However, it does not establish an agreement within the instrument for the Title IV-D program. Therefore, the Title IV-D agency has not shown a binding commitment from Blessett under the federal provisions required under the Act. Blessett did not and will not commit to the Part D services. They never had the legal capacity to enforce Part D services against Blessett. **ROA. 1166-68**

Blessett entered into a legally binding commitment with his ex-spouse in a state court that required modification for federal compliance with the Act to enforce Part D services. Where is the evidence of federal compliance changing the July 23, 1999, state court order? Where are the proof of Blessett's acknowledgment and commitment to the Act? The District Court erroneously abused its discretion in weighing equitable considerations *"by not meaningfully addressing the positive equities . . . and by improperly characterizing the negative equities."* ***See Rodriguez-Gutierrez v. INS, 59 F.3d 504, 509 (5th Cir. 1995).***

A divorce decree is a contract with expressed terms not requested to be reviewed and ruled on in the Appellants compliant. It is evidence supporting Blessett's facts and allegations. There is no evidence of federal compliance with the Act, record of modification on this contract, or verifiable evidence of process service for default as required by the federal provisions of the Act. Therefore, Greg Abbott, Ken Paxton, and Steven McCraw had explicit knowledge of the

> federal requirements of the Act, and their failure to comply with the Act's provisions after receiving Blessett's (Private Agreement) protest stands as a federal question. The accused had explicit knowledge of the state law, federal law, and the injuries caused to Blessett under the color of law. Allowing the injuries to continue is tacit conduct. It is verified evidence from common sense and logic that the accused knew their behavior would injure Blessett. The only other option for the accused actions is incompetence. The Court based its *decision on an erroneous view of the law and on a clearly erroneous assessment of the evidence."*
>
> ***United States v. Fernandez*, 797 F.3d 315, 318 (5th Cir. 2015).** *"A district court abuses its discretion if it bases its decision on an erroneous view of the law or on a clearly erroneous assessment of the evidence."*

U.S. Congress requires compliance with the federal provisions of the Act to receive federal grant funds, and the Act requires verifiable evidence of acknowledgment and commitment to the program. Unfortunately, the Court erroneously allowed continued enforcement of the Title IV-D program without legal standing. In addition, the Court ignored the Private Agreement as verified evidence destroying Xavier Becerra, Greg Abbott, Ken Paxton, and Steven C. McCraw's credibility.

Federal statutes established by Congress for Title IV-D service were not intended to create an enforceable entitlement to noncustodial parent's wages and assets without U.S. Constitutional protections. ***Paraphrasing Gonzaga Univ. v. Doe, 536 U.S. 273,***

283 (2002). However, Congress intended Title IV-D statutes to be applied as they are written. It is not enough, as **Blessing v. Freestone, 520 U.S. 329 (1997),** might have suggested, to show simply that a plaintiff "falls within the general zone of interest that the statute is intended to protect." **Gonzaga, 536 U.S. at 283.** It is now settled that nothing *"short of an unambiguously conferred right"* will support a cause of action under § 1983. Id. Title IV-D statutory enforcement refers to the rights by statute secured by the U.S. Congress to protect Noncustodial parents' U.S. Constitutional rights.

The district court ignored federal statutes, Blessett's private law discovery process, and denied July 23, 1999, Divorce Decree support order with Full faith and credit under 28 U.S. Code § 1738B **ROA. 1146** as verified evidence under the Fed. Rule of Evidence 301. Greg Abbott, Ken Paxton, and Steven C. McCraw did not plead plausible excuses for their inaction to prevent continued injury after receiving a private law notice. **ROA. 1145**

If the moving party meets its burden, "the nonmovant must go beyond the pleadings and designate specific facts showing that there is a genuine issue for trial." ***Little v. Liquid Air Corp., 37 F.3d 1069, 1075 (5th Cir. 1994)***

II. All the other Appellee's Attorneys responded with a notice of Attorney for the court record in accordance with the Federal Rule of Civil Procedures except Sinkin. Sinkin 's Attorney appeared after the deadline. Sinkin filed an answer after Blessett applied Rule 55a for default entry. What was Sinkin 's good cause excuse to avoid the Rules? Blessett's contracted process server served a summons on Antony Blinken, Xavier Becerra, Greg

Abbott, Ken Paxton, City of Galveston, Texas, Texas Department of Public Safety, Texas Office of Attorney General Office Child Support Division, U.S. Department of State, U.S. Department of Health and Human Services, and the United States without any problems. Blessett has used this process server service for four years and never had a problem. However, Sinkin has a problem following the rules of law, as demonstrated in the Complaint. Federal Rules of Civil Procedures (Rules) are set to provide a specified outcome under the Rules.

1. Federal 12a Sinkin had a twenty-one-day deadline rule to respond to Blessett's legal action.
2. Federal Rule 11a requires an *"Attorney of Record"* signature on a legal response or pleading before the deadline.
3. Sinkin affirmed its appearance on February 23, 2022, **ROA. 583** after the (21) twenty-one-day deadline was February 10, 2022.
4. Local Court Rule (6) six allows alternative methods to answer the summons, but the Rule 12a deadline remains twenty-one days, and no alternative allowances are made for Rule 11a. *No litigant or any U.S. Court has a legal obligation to honor any signed or unsigned response or pleading by an Attorney, not on the record with the Court claiming to represent a named defendant.*
5. Sinkin 's Attorney didn't file a notice of appearance with the Clerk of the Court or a Steven A Sinkin personal appearance in Court before the deadline. Defendant defaults under Rule 55a. *There must be an **attorney of record** to defend on the merits before the deadline to defend on the merits or personal appearance of Steven A Sinkin in accordance with the Federal Rules of Civil Procedure 11a before the deadline.*

Under Rule 55c, an opportunity is given under Rule 60b to overturn the default with good cause.

Blessett rejected the Court's acceptance of Sinkin without penalties for failure to follow the *Federal Rules of Civil Procedure. On April 6, 2022, the Court's decision to allow Sinkin extension to file a motion to dismiss defies logic and the rules of law. These are street rules, with an unequal application of law and no consideration for the injured party.* Sinkin provides no good-faith evidence for not having an **Attorney of Record** before the deadline. Service of the Complaint, certificate of service **ROA. 278-282** was executed on Sinkin on January 20, 2022, with an answer due February 10. 2022. Twelve days later, Blessett entered a motion for Entry of Default **ROA. 484-483 against** Sinkin on February 22, 2022, making his objection clear against the Sinkin seeking a judgment. As of February 22, 2022, Sinkin had not entered "*Appearance of Counsel*" and could not defend on the merits after February 10, 2022, due date. Under Rule 55, Blessett is entitled to a default judgment on his argument's merits for default. Sinkin failed to plead or defend with an Attorney of Record before Blessett's entry under Rule 55(a). It's a law firm. What excuse could they possibly present? Under local court rule and Federal Rules of Civil Procedure, Sinkin cannot defend after the fact. In ***Bass v Hoagland U.S. 5th cir. Court 1949,*** "*the defendant counsel appeared and filed an answer to the merits. Although counsel later withdrew from the case, he did not withdraw the appearance.*" The critical issue is that counsel for Sinkin never made an appearance on the record, forfeiting rights to plead under Federal Rule 12(a)(A)(i), substantive law, and the timing of the appearance of counsel grants the defense the right to plead to the default judgment. Rule 55(a) authorizes the Clerk to enter a default "*When a party against whom a judgment for affirmative relief is sought has failed to plead*

or otherwise defend as provided by these rules." The rules required Sinkin to file a sufficient answer to the merits and *have an Attorney of Record* before the due date. Sinkin could not comply with local court rule six without an attorney of record presenting a lawful response.

American jurisprudence disfavors default judgments[19]. Federal circuits take one of two approaches. The first approach does not permit a Rule 55(a) default judgment against a party if that party has either (1) pled or (2) otherwise defended ***Bass v Hoagland U.S. 5th cir. Court 1949***. The other approach does permit a Rule 55(a) default judgment if a party does one of those actions (pleads or otherwise defends) but not the other

Stett Jacoby as a lead attorney, could not defend Sinkin before February 23, 2022, under Rule 11(a). Local court rule six allows a letter on time for filing answers for Rule 12 (a). *However, local Rule Six does not allow for*

---

[19] **U.S. Fid. & Guar. Co. v. Petroleo Brasileiro S.A., 220 F.R.D. 404, 406 (S.D.N.Y. 2004)** ("The determination of whether to grant a motion for default judgment is within the sound discretion of the district court. However, '[i]t is well established that default judgments are disfavored. A clear preference exists for cases to be adjudicated on the merits.'" (alteration in original) (citations omitted) **(quoting Pecarsky v. Galaxiworld.com Ltd., 249 F.3d 167, 174 (2d Cir. 2001))); United States v. Gant, 268 F. Supp. 2d 29, 32 (D.D.C. 2003)** ("Because courts strongly favor resolution of disputes on their merits, and because it seems inherently unfair to use the court's power to enter judgment as a penalty for filing delays, default judgments are not favored by modern courts. Accordingly, default judgment usually is available only when the adversary process has been halted because of an essentially unresponsive party[, as] the diligent party must be protected lest he be faced with interminable delay and continued uncertainty as to his rights." (alteration in original) (citation omitted) (internal quotation marks omitted)); **10 JAMES WM. MOORE ET AL., MOORE'S FEDERAL PRACTICE § 55.02 (3d ed. 2012)** ("In considering how courts deal with defaults and default judgments, one must be aware of the conflicting principles at play with default. On the one hand, default promotes efficient administration of justice by requiring a responding party to conform with the requirements set out in the Federal Rules in a timely fashion. Rule 55 provides a mechanism to deal with a party against whom affirmative relief is sought who does nothing or very little to respond to the complaint. . . .On the other hand, there is a strong desire to decide cases on the merits rather than on procedural violations. For this reason, most courts traditionally disfavor the entry of a default judgment. This is a reflection of the oft-stated preference for resolving disputes on the merits.").

the absence of Rule 11(a) attorney of record. Therefore, the reply date of February 22, 2022, makes it impossible for Stett Jacoby to file a timely answer as the Attorney of record.

Blessett is concerned with contradicting several Federal Rules for Jurisprudence in denying default against Sinkin. Rule 12(a)(1) specifies that a party must serve a reply to an answer within 21 days after being served with an order to reply unless the order specifies a different time. The local rule specifies another Rule 12(b) method for filing. No exemptions for Rule 11 signature and the Rule 12(a)(1)time to respond.

The inconsistencies in Family Law to fit occasion are street rules. Sinkin needs to be held accountable for inconsistencies with the Rules.

Sinkin Law Firm: Undisputed Facts

i. In January, the return of service, the civil action was executed to Sinkin address to **Steven A Sinkin** on January 20, 2022, answer due February 10, 2022. **ROA. 279** Service on Sinkin Law Firm, Sinkin, and Barretto, PLLC naming Steven A Sinkin as the natural person.
   a. On February 23, 2022, twelve days after Sinkin's due date of February 10, 2022, after Blessett entered a motion for Entry for Default against Sinkin. **ROA. 483**
   b. Rule 5. Serving and Filing Pleadings and Other Papers (a)(2) If a Party Fails to Appear. No service is required on a party who is in default for failing to appear.
   c. On February 23, 2022, Sinkin entered its first notice to the Clerk of the Court.

ii. At least one Attorney of Record must sign the papers, pleadings, and other

papers per Rule 11(a) signature. Every pleading, written motion, and other paper must be signed by at least one Attorney of record in the Attorney's name—or by a **party personally,** Steven A Sinkin, the natural person named in the summons if the party is unrepresented. **ROA. 279** *Does anyone realize the irony of the justice granted to the Appellant and the accused?*

iii. There was no Attorney of Record filed with the District Court Clerk before February 23, 2022, that could sign papers, pleadings, and other papers. Steven A Sinkin personally did not sign a document or make an appearance before February 23, 2022. Stett M Jacoby cannot be the Attorney of Record without serving notice to the District Court or an appearance on the record with the Court in this legal action.

iv. Counsel for the City of Galveston, counsel for Federal defendants, and counsel for State defendants pleaded to defend on the record with the District Court on time, following the Rules. **ROA. 268, 378, 745-61**

v. Rule 12. (a) Time to Serve a Responsive Pleading. (1) In General. Unless this rule or a federal statute specifies another time, the time for serving a responsive pleading is as follows: (A) A defendant must serve an answer: (i) within 21 days after being served with the summons and Complaint;

vi. Rule 55. Default; Default Judgment- (a) Entering a Default. When a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the Clerk must enter the party's default.

Sinkin failed to have an ***Attorney on the Record*** to plead a defense with the District Court on time.

III. The Complaint is a certified affidavit from a firsthand witness to Blessett's activities. Blessett presented the Complaint as a certified document with

a Texas Notary Certified Affidavit under **28 U.S. Code § 1746** and **28 U.S. Code § 1734** in the civil Complaint to prefect the Prima Facia case. The principles of equity require the accused to produce a legal instrument with contractual stipulations for Blessett's Title IV-A state debt or discharge alleged debt against JOSEPH CRAIG BLESSETT. In addition, Xavier Becerra, Greg Abbott, Ken Paxton, and Steven C McCraw have a U.S. Constitutional duty to respond to the debtor or otherwise cease collections and enforcement. The Secretary is responsible for oversight and ensuring its contractors' compliance. Finally, the District Court was obliged to hold the accused accountable to the U.S. Constitution, Congressional statutes of the Act, and their tacit conduct after receiving notice of protest from Blessett.

Blessett presented for the District Court and had a third-party process server serve the Complaint and ***Certificates of Non-response*** to Greg Abbott, Ken Paxton, and Steven C. McCraw. Greg Abbott, Ken Paxton, and Steven C. McCraw were obliged to comply with the Act. They were given duty[20] as prescribed in **(United States v. Olmstead, 277 U.S. 438 (1928).** As a condition of the Act, state and government actors must have recorded documented evidence of JOSEPH C BLESSETT's verified consent to the Federal Title IV-D program. Blessett's private state court child support order is the legal **Judicial Order** establishing a private duty for child support. Title IV-D is a statutory, voluntary ***Federal Service*** enacted by Congress using ***Administrative Law*** enforcement, requiring consent to be

[20] "Decency, security and liberty alike demand that government officials shall be subjected to the rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously. Our government is the potent, omnipresent teacher. For good or for ill, it teaches the whole people by its example. Crime is contagious. If the government becomes a lawbreaker, it breeds contempt for the law, it invites every man to come a law unto himself. It invites anarchy. **(United States v. Olmstead, 277 U.S. 438 (1928)**

legally enforced. Enforcement of the Title IV-D program without the permission of the individuals violates the U.S. Constitution and Bill of Rights.

It appears the idea has prevailed that we have in this county two national governments, one maintained under the Constitution, with all of its restrictions, and another maintained by the US. Congress outside and independent of the US. Constitution by exercising such powers of other nations on this earth with elite aristocratic governments. This civil action represents that evil day in American Liberty, and the government is outside the Supreme Law of the Land and our US. Constitutional Jurisprudence. No higher duty rest on a US. Court then to exert its full authority to prevent all violations of the principles of the Constitution. ***Quoting Supreme Court Justice John Harlan in the Case of Downes v. Bidwell***. Blessett and other noncustodial parents are the only parties held responsible by the courts. The courts are allowing and applying another set of rules for family law attorneys, state and federal actors' accountability for compliance with support orders, and the Act.

In 2016, Blessett started this legal journey with an attempt to take the equity out of his Texas-exempt homestead property to secure the child support debt. To do the right thing. Only to be obstructed by Title IV-D lien on the exempt property and later lost the property through Sinkin Law Firm's use of legal maneuvers at a considerable financial loss for Blessett and a financial gain for Sinkin Law Firm, who bought the property at auction.

CONCLUSION

We ask the Appellate Court to rule that the district court erroneously abused its discretion in assessing the evidence.

For the preceding reasons in this brief, Joe Blessett respectfully requests that this Court reverse the District Court's order and:

1. Grant an order for the unopposed stipulation in the Complaint *Terminating Title IV-D enforcement and the alleged state debt against JOSEPH C BLESSETT.* **ROA. 1063**

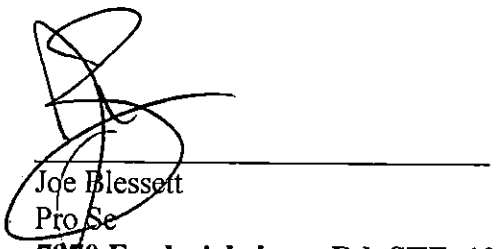
2. Grant the default judgment against Sinkin and relief requested in the Complaint.

3. Grant an order for the relief requested in the Certificate of Nonresponse, **Private Law Agreement** with Greg Abbott, Ken Paxton, and Steven C McCraw.

4. Grant a remand order for summary judgment for noncompliance with the Act and deprivation of Blessett's protected rights.

6. Grant an order for the Judicial review of the U.S. Health and Human Services.

Respectfully submitted,



Aug. 8, 2022

Joe Blessett
Pro Se
Date

7970 Fredericksburg Rd. STE. 101-708
San Antonio, Texas 78229
joe@joeblessett.com
Ph.281-667-1174

CERTIFICATE OF SERVICE

I certify under penalty of perjury that a copy of the foregoing brief was filed with the Clerk of Court for the United States Court of Appeals for the Fifth Circuit and served to counsel for the Appellees. Service will be accomplished using the U.S.P.S. Priority Mail service and Stamps.com.

Mailed to:

1. Ms. Myra Farah Siddiqui, counsel for federal Appellees
   USPS Tracking #9405 5111 0803 3594 3479 12
2. Mr. Johnathan Stone, counsel for state Appellees
   USPS Tracking #9405 5111 0803 3594 3471 72
3. Stett M Jacoby counsel for Steven A Sinkin (Sinkin Law Firm)
   USPS Tracking #9405 5111 0803 3594 3478 68
4. Mr. Barry C Willey, counsel for the City of Galveston
   USPS Tracking #9405 5111 0803 3594 3470 66

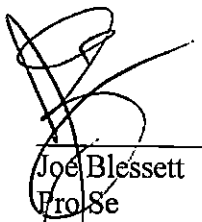
Joe Blessett / Pro Se
7970 Fredericksburg Rd.
STE. 101-708
San Antonio, Texas 78229
joe@joeblessett.com
Ph.281-667-1174

Aug. 8. 2022
Date

CERTIFICATE OF COMPLIANCE

1. This brief complies with the type-volume limitation of Federal Rule of Appellate Procedure 32(a)(7)(B) because it contains 12927 words, as determined by the word-count function of Microsoft Word 365, excluding the parts of the brief exempted by Federal Rule of Appellate Procedure 32(f) and Fifth Circuit Rule 32.2.

2. This brief complies with the typeface requirements of Federal Rule of Appellate Procedure 32(a)(5) and the type style requirements of Federal Rule of Appellate Procedure 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word 365 in 14-point Time New Roman font.



Joe Blessett
Pro Se
7970 Fredericksburg Rd. STE. 101-708
San Antonio, Texas 78229
joe@joeblessett.com
Ph.281-667-1174

8.2022
Date

United States Court of Appeals

FIFTH CIRCUIT
OFFICE OF THE CLERK

LYLE W. CAYCE
CLERK

TEL. 504-310-7700
600 S. MAESTRI PLACE,
Suite 115
NEW ORLEANS, LA 70130

August 17, 2022

Mr. Joe Blessett
3118 FM 528
Suite 346
Webster, TX 77598

No. 22-40378 Blessett v. Texas
USDC No. 3:22-CV-9

Dear Mr. Blessett,

We filed your brief. However, you must make the following corrections within the next 14 days.

Opposing counsel's briefing time continues to run.

You need to correct or add:

Caption on the brief does not agree with the caption of the case in compliance with **FED. R. APP. P.** 32(a)(2)(C). Caption must exactly match the Court's Official Caption (See Official Caption below)

If all defendants are not parties to the appeal, you must advise the court in writing.

Sincerely,

LYLE W. CAYCE, Clerk

By: _____
Shawn D. Henderson, Deputy Clerk
504-310-7668

cc:
Ms. Halie Elizabeth Daniels
Mr. Stett Matthew Jacoby
Ms. Myra Farah Siddiqui
Mr. Johnathan Stone
Mr. Barry Conrad Willey

Case No. 22-40378

Joe Blessett,

Plaintiff - Appellant

v.

State of Texas; Greg Abbott; Ken Paxton; Texas Office of Attorney General Child Support Enforcement Division; Steven C. McCraw; Texas Department of Public Safety; Xavier Becerra; United States Department of Health and Human Services; Anthony Blinkin; United States Department of State; United States; City of Galveston; Sinkin Law Firm,

Defendants - Appellees